



UNITED STATES OF AMERICA

## SOUTHERN DISTRICT OF CALIFORNIA

**'08 MJ 8582**

UNITED STATES OF AMERICA, ) Magistrate Case No.:

Plaintiff, ) COMPLAINT FOR VIOLATION OF:

v. )

Juan Jose RAMIREZ Lopez ) Title 8, U.S.C., Sec., 1326

Defendant. ) Attempted Entry After Deportation

)

)

The undersigned complainant, being duly sworn, states:

On June 27, 2008, within the Southern District of California, the defendant Juan Jose RAMIREZ Lopez, an alien, who previously had been excluded, deported and removed from the United States to Mexico, attempted to enter the United States with the purpose, i.e., conscious desire, to enter the United States at the Calexico Port of Entry without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts which is incorporated herein by reference.

*[Signature]*  
JOSE L. BOLANOS  
CBP ENFORCEMENT OFFICER

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 30<sup>TH</sup> DAY OF JUNE 2008.

*[Signature]*  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

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4 **Probable Cause Statement**

5 I, Customs Border Protection Enforcement Officer Jose L. Bolanos,  
6 declare under penalty of perjury, the following is true and  
7 correct:

8 On June 27, 2008, at approximately 4:39 P.M., a male  
9 individual, later identified as Juan Jose RAMIREZ Lopez  
10 (Defendant), attempted to enter the United States from Mexico at  
the Calexico West Port of Entry, via pedestrian primary.  
11 Defendant presented an I-551 Permanent Resident card bearing the  
name of Andres CABANILLAS as his entry document to Customs and  
12 Border Protection (CBP) Officer Burgeno. Defendant told CBP  
13 Officer Burgeno he was going to Calexico. CBP Officer Burgeno  
14 believed defendant was an imposter because he did not resemble  
15 the individual depicted in the I-551 he had presented.  
16 Consequently, defendant attempted to abscond back to Mexico and  
was apprehended by CBP Officer Bello. CBP Officer Bello and  
17 Burgeno escorted the defendant to pedestrian secondary office for  
18 further inspection.

19 During secondary inspection, Defendant admitted to CBP  
20 Enforcement Officer Haywood he is a citizen and native of  
21 Mexico. Defendant further admitted he was previously deported  
from the United States a month ago after serving a three year  
22 prison term. Defendant admitted he had obtained the document in  
23 Mexicali, Mexico and was to pay \$1000.00 if he had enter the  
24 U.S. successfully. Defendant attempted to enter the United  
25 States from Mexico by being an imposter to a Permanent Resident  
card, and he has not applied for, nor received, permission to  
26 legally re-enter the United States.

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4 Immigration service records indicate no evidence that  
5 defendant has applied for, nor received permission from the  
6 Attorney General of the United States, or his designated  
7 successor, the Secretary of the Department of Homeland Security  
8 to legally re-enter the United States.

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14 Executed on June 28, 2008, at approximately 2:30 P.M.

15   
16 Jose L. Bolanos, CBP  
17 Enforcement Officer

18  
19  
20 On the basis of the facts presented in the probable cause  
21 statement consisting of two pages, I find probable cause to  
22 believe that the defendant named in this probable cause  
23 statement committed the offense on June 27, 2008 in the  
24 violation of Title 8, United States Code, § 1326.

25   
26 Barbara L. Major  
27 United States Magistrate Judge

28 6/28/08 at 2:53 PM  
Date and Time